

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being sent by facsimile transmission to Examiner S. Jackson at facsimile number (703) 308-2708, on January 13, 2000.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:) Examiner: S. Jackson
Inventor: Lau et al.)
Serial No.: 09/055,582) Group Art Unit: 3738
Filed: April 15, 1998)
For: EXPANDABLE STENTS AND)
METHOD FOR MAKING SAME) Docket No. ACS 48047 (3801.01.2)
Date: January 13, 2000

TERMINAL DISCLAIMER

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The owner, Advanced Cardiovascular Systems, Inc. ("ACS"), of the entire interest in the instant application hereby disclaims, except as provided below, the terminal part of any patent granted on the instant application which would extend beyond the expiration date of Patent No. 5,514,154 filed July 28, 1994 as presently shortened by any terminal disclaimer. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the above-listed patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors, or assigns.

The fee for the Terminal Disclaimer pursuant to 37 C.F.R. § 1.

20(d) was paid with submission of the original Terminal Disclaimer on November 30, 1999, therefore we have not enclosed a second payment for the fee. However, if it is determined that a fee is in fact due, please charge Deposit Account No. 06-2425. A duplicate of this letter is enclosed.

Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP

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